

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

DAVID EASLEY,

Plaintiff(s),

vs.

DEBORAH NIXON-HUGHES, et. al.,

Defendant(s).

:
:
:
:
:
:
:
:
:
:

Case Number: 1:06cv865

Chief Judge Susan J. Dlott

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Timothy S. Hogan filed on February 12, 2009 (Doc. 26), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired March 4, 2009, hereby ADOPTS said Report and Recommendation.

Accordingly, plaintiff's complaint is **DISMISSED** without prejudice for failure of service. Since Defendant Highfield was the only defendant remaining in this matter, the Court hereby **TERMINATES** this case from the docket.

IT IS SO ORDERED.

—

s/Susan J. Dlott
Chief Judge Susan J. Dlott
United States District Court